

REMARKS

Claims 1-26 are pending in the current application. Claims 1, 4, 14 and 15 are independent claims.

35 U.S.C. § 103 (a) Chen and Moskowitz

Claims 1-26 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Chen in view of Moskowitz. Applicant respectfully traverses this art grounds of rejection.

Chen discloses a system, method and product for information embedding using an ensemble of non-intersecting embedding generators. Specifically, Chen discloses a general method of embedding a watermark, transmitting a signal including the embedded watermark and decoding (e.g., extracting) the embedded watermark from the received signal. Chen does not disclose or suggest any operations performed based on the extracted watermark.

The Examiner alleges that Chen discloses “second transmitting, in response to said decoding watermark, said specific related data to said principal program to said one or more subscribers through a communications network” (page 2 of the Office Action). Referring to column 1, 34-38 of Chen, the Examiner states that “[s]uch functions may also be referred to as transmitting and receiving functions, indicating that the composite signal is transmitted over a channel to the receiver” (page 2 of the Office Action). The “functions” referred to by Chen relate to coding and decoding functions performed when sending and receiving a watermark, respectively (column 1, lines 32-38). The Applicant acknowledges that Chen teaches transmitting an encoded signal including a watermark to a receiver and decoding the signal. However, Chen does not disclose or suggest any operation performed in response to

the decoding of the watermark. Applicant agrees with the Examiner in that Chen does not explicitly state that the specific data includes at least one of an offer to said one or more subscribers, telephone number, World Wide Web address, coupon and advertisement (page 2-3 of the Office Action). The Examiner seeks to combine Moskowitz with Chen in order to overcome this particular deficiency.

Moskowitz discloses a method for human assisted random key generation and application for a digital watermark system. Moskowitz discloses an alternative method of encoding and decoding watermark signals but, similarly to Chen, remains deficient in disclosing any operation performed in response to the decoding of the watermark signal.

Thus, the combination of Chen and Moskowitz cannot disclose or suggest “second transmitting, in response to said decoded watermark, said specific data related to said principal program to said one or more subscribers through a communications network” as recited in independent claim 1 and similarly recited in independent claims 4, 14 and 15.

As such, claims 2-3, 5-13 and 16-26, dependent upon independent claims 1, 4, 14 and 15, respectively, are likewise allowable over Chen and Moskowitz at least for the reasons discussed above with respect to independent claims 1, 4, 14 and 15.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Reconsideration and allowance of all pending claims is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-26 in connection with the present application is earnestly solicited.

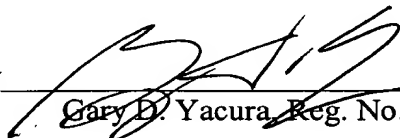
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Very truly yours,

HARNESS, DICKEY & PIERCE, PLC

By



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